
Status & Remarks

The application presently contains the following claims:

<i>Independent Claim #</i>	<i>Dependent Claim #s</i>
21	1-20, 22-24
25	26-48

Claims 1, 16, 19 and 21 are amended in this response. Claims 23-48 are newly added. Support for the newly added claims may be found with reference to the originally submitted figures and associated text, particularly paragraphs [0061] through [0063] as well as with reference to the originally submitted claims.

The examiner had previously represented that currently there is no generic claim. By amendment, the applicant's attorney has submitted generic claims #21 and #25 which read on both species identified by the examiner, yet defines in a patentable manner over the Prior Art identified. Additionally, claims 23-24 are also generic in addition to claim #21 as are claims 27-28 in addition to claim #25. The applicant's attorney would respectfully request that the examiner evaluate these generic claims, and the additional species which are written in dependent form.

Currently, the following claims read upon the associated species.

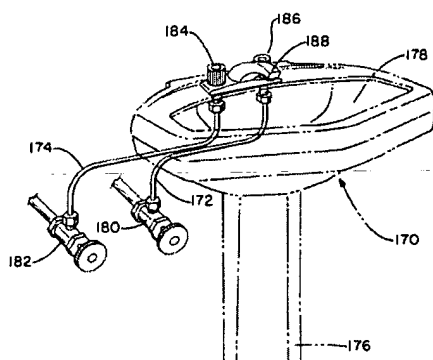
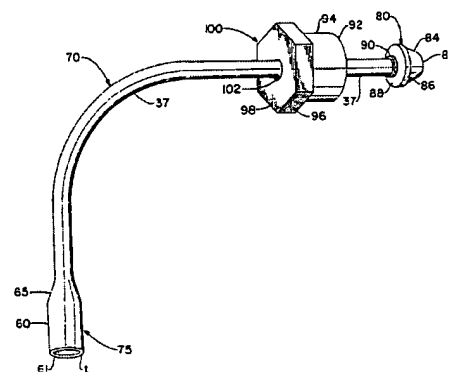
<i>Specie</i>	<i>Claim #s</i>	<i>New Claim #s</i>
A	21-24, 1-6	25-28, 29-34
B	21-24, 7-20	25-28, 35-48

35 U.S.C. §102

The examiner has rejected claims 7-22 under this section, subparagraph (b) as being anticipated by Rowley (USP 5,861,200). The applicant's attorney would respectfully request the examiner to reevaluate this initial position in light of the following arguments and amendments which have been made to the claims.

First, it should be noted that the Rowley '200 patent teaches the value of an all-plastic conduit which is encased by thin-walled copper tubing in which at least one end of the tubing has been processed, e.g., to form sealing surfaces as illustrated by molded end cap 80 shown in FIGS. 7-10 or to form belled ends as illustrated by belled end 75 in those same figures.

However, the Rowley '200 patent does not disclose any connecting means which requires insertion into one end of the polymeric tube and which connects a second polymeric tube. In fact, the metallic enclosed polymeric tubes illustrated



in Rowley '200 are not designed for connecting to each other. This is clearly shown in FIG. 26 of the patent. The goal of these tubes was to be able to form geometric input water lines for pedestal sinks. It utilizes conventional compression fittings (118) (e.g., brass O-rings or ferrules) to effect sealing engagement with a fixture. The tubes are NOT intended to be linked together, nor is this taught.

The examiner indicates that Rowley '200 teaches post-processing of the metallic-encased tube to effect contacting engagement between the interior surface of the outer polymeric tube and the inner surface of the metallic tube (Figs. 1-7). With due respect for the position advanced by the examiner, Figs. 1-7 have absolutely nothing to do with contacting engagement between polymeric and metallic tubes, but rather only teach how to make a polymeric belled end without wall thinning.

For the Figures which do illustrate some copper tubing about polymeric tubing, namely Figs. 20 & 26-27, the lengths of copper tubing within which the conduit is encased are illustrated to be limited, and therefore

FIG. 10 is a cross-sectional view of a second embodiment of the device. It shows a central shaft 100 passing through a housing 108. The shaft has a central section 102 and end sections 96 and 98. A sleeve 104 is mounted on the shaft, featuring a series of longitudinal slots 37. A cap screw 120 is used to secure the assembly. Dimensions d_1 , d_3 , and d_4 are indicated.

There is no teaching in Rowley '200 as to how this may be done and the patent no longer serves as an anticipatory reference to the pending claims as amended.

Applicant believes that all independent claims clearly define over the prior art and that the distinctions between the present invention and the prior art would not have been obvious to one of ordinary skill in the art. Additionally, the remaining dependent claims, by the limitations contained in the base independent claims, are felt to be patentable over the prior art by virtue of their dependency from independent claims which distinguish

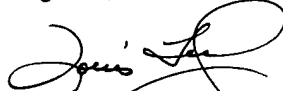
over the prior art of record. All pending claims are thought to be allowable and reconsideration by the Examiner is respectfully requested.

It is respectfully submitted that no new additional searching will be required by the examiner. A fee determination sheet is attached for this amendment response. The Commissioner is hereby authorized to charge any additional fee required to affect the filing of this document to Account No. 50-0983.

It is respectfully submitted that all references identified by the examiner have been distinguished in a non-obvious way. If the examiner believes that a telephonic conversation would facilitate a resolution of any and/or all of the outstanding issues pending in this application, then such a call is cordially invited at the convenience of the examiner.

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